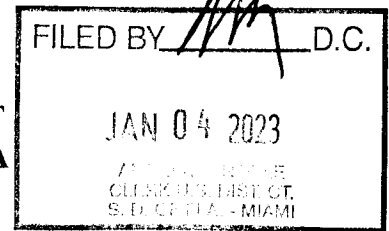


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA



MALVIN GARNETT, MINOR NCG
PLAINTIFF

CASE NO.: 22-CV- 23543-ALTMAN

v.

Leslie Puzo, Diksha Mehan Sharma, Judge George Sarduy,
Priscille Duvalsaint, General Magistrate Carlos Fernandez, Priscille Duvalsaint,
Yasmin Morshedian,
RESPONDENT.

RESPONSE FOR RULE TO SHOW CAUSE AND REQUEST FOR EXTENSION.

COMES NOW, the Plaintiff, MALVIN GARNETT, by means of pro se, and hereby files this request for extension. .

1. On December 11, 2022, the plaintiff requested from the Judge solution for substitute service and has notified the course with evidence of attempts of service for all parties that were not served.
2. The purpose of the pro se plaintiff showing attempts to show that this is not an ill attempt. There has been attempts of all parties from 1 week of this lawsuit being filed. This case is the opposite of the Florida Supreme Court issuing the Morales v. Sperry Rand, 601 So. 2d 538 (Fla. 1992) decision in this case the attorney waited 110 days before starting service. I ask that the court have broad discretion in reviewing the facts and determine that good cause be established for failing to serve the complaint within 120 days.
3. On December 28, 2022 The Honorable Roy Altman has stated that only 1 out of 7 plaintiffs was served on December 28, at 11:23 AM a rule to show cause was issued. Ironically the pro se does not receive items electronically because pro se. At 1:09 pm coincidentally the pro se plaintiff brought in 3 return of service making it now 4 out of 7 defendants have been served.
4. It seems what has mattered in previous case law is the attempts were late due to negotiating or investigating the case. There has been numerous attempts. On the remaining three parties.
5. When the pro se ask for the Judge to review the facts of the case, this is a father that went through a false domestic violence case for 8 months and he did not see his ex wife. With that being said the process server is going to the house. On December 14, 2022 the non service affidavit was uploaded for Priscille Duvalsaint and Marie Liautaud. There has been over 7 attempts at residential home and defendants lawyers office. The attempts made EXHIBIT 1
6. As far as Leslie Puzo the 7 attempts have been uploaded on December 14, 2022 as well more importantly she is on vacation from December 5, 2022 to January 5, 2023 the notice of unavailability is attached EXHIBIT 2.

7. If Priscille Duvalsaint and Marie Liautaud does not answer the door, the plaintiff would request for that the summons be issued by regular mail from the clerk or any other solution deemed by the Judge.
8. This is a sensitive issue because the only other option to serve is when Priscille Duvalsaint is dropping minor child off to school but the father was trying to avoid that in front of the minor child.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Motion was served on Petitioner, Priscille Duvalsaint, via her attorney, at the following email address:

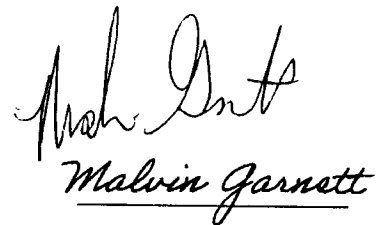
Leslie Puzo, Esq.

leslie@puzohernandez.com

Attorney for

Petitioner

On Date January 4, 2023



Malvin Garnett

Malvin Garnett
437 SW 3rd ST #4
Miami, FL 33130

EXHIBIT 1

RETURN OF NON-SERVICE

**UNITED STATES DISTRICT COURT
Miami-Dade District of Florida**

Case Number: 22-CV-23543-RKA

Plaintiff:

Malvin Garnet, NCG, Minor

vs.

Defendants:

**Yasmin Morshedlan; Marie Liautaud; Judge George Sardy; Leslie Puzo; General
Magistrate Carlos Fernandez; Priscille Duvalsaint; Diksha Mehan Sharma**

For:

Malvin Garnett
437 SW 3 Street, #4
Miami, FL 33130

Received by Miami PSPI, LLC on the 8th day of November, 2022 at 1:35 pm to be served on **Marie Liautaud, By Serving
Leslie Puzo, Esq., 1175 NE 125 Street, #618, North Miami, FL 33161.**

I, Joseph Onega, do hereby affirm that on the **1st day of December, 2022 at 1:30 pm, I:**

**NON-SERVED the SUMMONS IN A CIVIL ACTION, ORDER IN CASES WITH MULTIPLE DEFENDANTS, and AMENDED
COMPLAINT FOR VIOLATION OF CIVIL RIGHTS** due to no response on attempts listed below.

Additional Information pertaining to this Service:

11/10/2022 10:16 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. The door is locked. No answer. The neighbors are locked.

11/14/2022 11:47 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. The door is locked. No answer. The neighbor told me she sees them on Fridays.

11/18/2022 10:53 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. Leslie's assistant said Leslie is not in. She cannot give me any information besides Leslie works mostly remote.

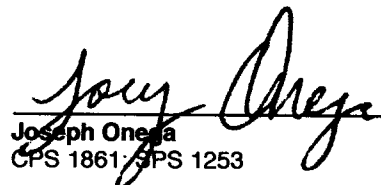
11/22/2022 7:32 pm Attempted service at 2321 Laguna Circle, #709, Miami, FL 33181. This is an apartment. No answer and no movement. The neighbor has no information.

11/26/2022 7:58 am Attempted service at 2321 Laguna Circle, #709, Miami, FL 33181. No answer and no movement.

11/29/2022 8:35 pm Attempted service at 2321 Laguna Circle, #709, Miami, FL 33181. No answer and no movement.

12/1/2022 1:30 pm Attempted service at 2321 Laguna Circle, #709, Miami, FL 33181. No answer and no movement. All was dark and quiet.

I acknowledge that I am over the age of 18 years, in good standing in the judicial circuit in which this process was served, and that I have no interest in the above action. Under penalty of perjury, I declare that I have read the foregoing Return of Service and the acts stated in it are true. F.S. 92.525(2).


Joseph Onega
CPS 1861/SPS 1253

**Miami PSPI, LLC
1800 Coral Way, Suite 1511
Miami, FL 33145
(305) 285-4321**

Our Job Serial Number: NAY-2022001900

RETURN OF NON-SERVICE

**UNITED STATES DISTRICT COURT
Miami-Dade District of Florida**

Case Number: 22-CV-23543-RKA

Plaintiff:

Malvin Garnet, NCG, Minor

vs.

Defendants:

**Yasmin Morshedian; Marie Liautaud; Judge George Sardy; Leslie Puzo; General
Magistrate Carlos Fernandez; Priscille Duvalsaint; Diksha Mehan Sharma**

For:

Malvin Garnett
437 SW 3 Street, #4
Miami, FL 33130

Received by Miami PSPI, LLC on the 8th day of November, 2022 at 1:35 pm to be served on **Priscille Duvalsaint, By
Serving Leslie Puzzo, Esq., 1175 NE 125 Street, #618, North Miami, FL 33161.**

I, Joseph Onega, do hereby affirm that on the **1st day of December, 2022 at 1:30 pm, I:**

**NON-SERVED the SUMMONS IN A CIVIL ACTION, ORDER IN CASES WITH MULTIPLE DEFENDANTS, and AMENDED
COMPLAINT FOR VIOLATION OF CIVIL RIGHTS** due to no response on attempts listed below.

Additional Information pertaining to this Service:

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11/26/2022 7:58 am Attempted service at 2321 Laguna Circle, #709, Miami, FL 33181. No answer and no movement.

11/29/2022 8:35 pm Attempted service at 2321 Laguna Circle, #709, Miami, FL 33181. No answer and no movement.

12/1/2022 1:30 pm Attempted service at 2321 Laguna Circle, #709, Miami, FL 33181. No answer and no movement. All was dark and quiet.

I acknowledge that I am over the age of 18 years, in good standing in the judicial circuit in which this process was served, and that I have no interest in the above action. Under penalty of perjury, I declare that I have read the foregoing Return of Service and the acts stated in it are true. F.S. 92.525(2).


Joseph Onega
CPS 1861 / CPS 1253

**Miami PSPI, LLC
1800 Coral Way, Suite 1511
Miami, FL 33145
(305) 285-4321**

Our Job Serial Number: NAY-2022001899

EXHIBIT 2

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

IN RE: THE MARRIAGE OF
PRISCILLE DUVALSAINT GARNETT,
Petitioner/ Former Wife,
and

CASE NO.: 2019-013774-FC-04

MALVIN LEOPOLD GARNETT,
Respondent/Former Husband.

NOTICE OF UNAVAILIBILITY

PLEASE TAKE NOTICE, that the undersigned attorney hereby files this Notice of Unavailability, for the following dates:

February 7, 2022 through February 25, 2022

March 3, 2022 through March 8, 2022

March 25, 2022 through March 31, 2022

April 6, 2022 through April 12, 2022

July 18, 2022 through August 5, 2022

November 21, 2022 through November 25, 2022

December 6, 2022 through January 5, 2023

In order to avoid any potential conflicts, the undersigned is respectfully requesting that no hearings or depositions be scheduled during the above dates; any motions, notice to produce interrogatories or other pleadings be filed which require a timely response during said time; and that all pending matters remain in status quo.

The filing and service of this Notice shall constitute an application and request for continuance, extension of time, motion for protective order as the undersigned may deem appropriate upon reviewing the pleadings filed during the above stated time period.

- CERTIFICATE OF SERVICE TO FOLLOW ON NEXT PAGE -

Notice of Unavailability

Page 2 of 2

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was provided to Jennifer Ford, Esq., Attorney for the Respondent/Former Husband through email at Jennifer@jenniferford.lawyer on the 18th day of February 2022.

**PUZO LAW
1175 N.E. 125TH STREET
SUITE 618
NORTH MIAMI, FL 33161
TEL: (305) 428-2220**

**By: /s/Leslie Puzo
LESLIE PUZO, ESQ.
FLORIDA BAR NUMBER 19791
LESLIE@PUZOLAW.COM**

RETURN OF NON-SERVICE

**UNITED STATES DISTRICT COURT
Miami-Dade District of Florida**

Case Number: 22-CV-23543-RKA

Plaintiff:

Malvin Garnet, NCG, Minor

vs.

Defendants:

**Yasmin Morshedlian; Marie Liautaud; Judge George Sardy; Leslie Puzo; General
Magistrate Carlos Fernandez; Priscille Duvalsaint; Diksha Mehan Sharma**

For:

Malvin Garnett
437 SW 3 Street, #4
Miami, FL 33130

Received by Miami PSPI, LLC on the 8th day of November, 2022 at 1:35 pm to be served on **Leslie Puzo, 1175 NE 125 Street, #618, North Miami, FL 33161.**

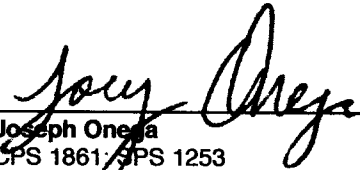
I, Joseph Onega, do hereby affirm that on the **9th day of December, 2022 at 11:11 am, I:**

NON-SERVED the SUMMONS IN A CIVIL ACTION, ORDER IN CASES WITH MULTIPLE DEFENDANTS, and AMENDED COMPLAINT FOR VIOLATION OF CIVIL RIGHTS for the reasons detailed in the comments below.

Additional Information pertaining to this Service:

11/10/2022 10:16 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. The door is locked. No answer. The neighbors are locked.
11/14/2022 11:47 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. The door is locked. No answer. The neighbor told me she sees them on Fridays.
11/18/2022 10:53 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. Leslie's assistant said Leslie is not in. She cannot give me any information besides Leslie works mostly remote.
11/23/2022 10:51 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. The door is locked and there is no answer.
11/28/2022 11:52 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. The door is locked. No answer.
12/1/2022 2:25 pm Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. The door is locked. No answer. The neighbor has no information.
12/9/2022 11:11 am Attempted service at 1175 NE 125 Street, #618, North Miami, FL 33161. The door is locked. No answer.

I acknowledge that I am over the age of 18 years, in good standing in the judicial circuit in which this process was served, and that I have no interest in the above action. Under penalty of perjury, I declare that I have read the foregoing Return of Service and the acts stated in it are true. F.S. 92.525(2).



Joseph Onega
CPS 1861/SPS 1253

**Miami PSPI, LLC
1800 Coral Way, Suite 1511
Miami, FL 33145
(305) 285-4321**

Our Job Serial Number: NAY-2022001898